

1 REMARKS

2 Claims 1-26 have been cancelled without prejudice. Claims 27-71 have
3 been added.

4 A new drawing Fig. 4 is submitted.

5
6 OBJECTIONS

7 Applicants have canceled the previous claims, and have submitted new
8 claims that overcome the claim objections.

9
10 35 U.S.C. §102

11 Applicants respectfully traverse the rejection.

12 Specific embodiments disclose a fully automated system which collects
13 user account data, destination address data for delivery of an image, automatically
14 captures an image when a user is in a field of view of a camera installation, and
15 delivers a digital image, in either electronic or physical form to the specified
16 destination address, and automatically collects payment from the user account
17 details.

18 Using the embodiments, systems and methods described in the present
19 application is that a user does not need to carry their own personal camera at a
20 venue. Rather, they can be assured that images of that person will be taken by an
21 authorised on-site system, and delivered to them at a specified address. The user
22 does not have to pro-actively act as a photographer during their visit to a venue.
23 Rather, images are automatically taken in pre-defined situations. This also ensures
24 pictures are in focus and are properly lit, since the camera installation is already
25 set up to take images within a pre-defined field of view.

1 The embodiments, systems and methods disclosed in the present
2 application also provide a service to a user for provision of digital images
3 recording a user's visit to a venue. The functions of capture of images, provision
4 of the images to the user, and collection of payment are taken care of by the
5 system, thereby allowing the user to enjoy their visit to the venue without
6 becoming entrapped in long queues, or without having to distract from their visit
7 by arranging to take their own photographs.

8 In the present disclosure, a camera installation detects when a user is within
9 a field of view, and the user is not responsible for setting up the field of view of
10 the camera.

11 In the present amended claims submitted herewith, common features
12 between various of the independent claims include:

- 13 (a) automatic capturing of an image using a digital camera in
14 response to an input signal;
- 15 (b) a user portable activation device which activates automatic
16 capturing of said image;
- 17 (c) Collecting/receiving data identifying the user;
- 18 (d) Collecting/receiving account data describing a financial account;
- 19 (e) Using account data for effecting payment;
- 20 (f) Collecting/receiving delivery address data specifying a delivery
21 destination for a digital image
- 22 (g) Sending digital image data to a destination specified by said
23 delivery address data.
- 24
- 25

Goldberg WO 98/10358

1
2 The disclosure of the present application has several advantages over the
3 system of Goldberg (WO 98/10358) and over the system of Dodge (WO
4 00/58850). In each of those prior disclosures, there is a problem that a person
5 needs to visit a kiosk or other computer terminal provided by an operator of a
6 facility, in order to input personal data and/or payment details.

7 This has the fundamental problem in a busy environment with many
8 visitors, that long queues accumulate at the kiosks, which inhibits usage of the
9 prior art systems and/or detracts from a users enjoyment of the facility.

10 In the present disclosure, there is several features which are aimed at queue
11 avoidance. These involves:

- 12 (i) automatically capturing an image in response to an input
13 signal
- 14 (ii) remote registration of a users identity and/or financial account
15 details and/or a delivery address for sending the images to
- 16 (iii) the ability to avoid queues by either downloading images
17 remotely over a wireless link onto a handheld computer, or
18 the ability to view thumb nail images remotely on a server
19 computer as thumb nail images, before either downloading
20 them to a users own personal computer, or instructing
21 delivery of physical or electronic images to a specified
22 delivery address.

23 In all cases, an advantage of the present system is that users are freed up
24 from having to queue up to use restricted facilities such as kiosks.

25 In the present disclosure, it is clear that automatic camera facilities are
located in a range of locations, and images can be retrieved at remote locations.

1 It is also clear that photographic image data can be displayed on the
2 website, and downloaded from the website to a remote computer entity, (see
3 [0049] last sentence).

4 Further, it is clear that pre-registration of a user via an internet enabled
5 computer entity or transfer of user registration from a hotel check in system are
6 ways of inputting user registration data which are remote from a camera
7 installation (and thereby avoiding queuing at the camera installation).

8 A further example of remote operation is transfers of data between a
9 photographic e-service provider 405, a camera installation, an electronically
10 delivery destination 410, and a print service provider 415 and a financial
11 institution 413 being implemented over a communications network, such as the
12 internet are examples of remote transfers of data between entities in the disclosed
13 system (see [0049]):

14 Due to the remote nature of the presently disclosed system, and due to
15 automatic activation of camera devices, a user may be freed from the need to stand
16 in queues to enter data at kiosks, as in Goldberg and Dodge.

17 In each of the prior art citations referred to by the examiner, there is a need
18 for queuing up and some stage by a user of the system.

19 Goldberg discloses use of a portable activation device for activating a
20 camera, which does avoid queuing for capturing an image, and is also necessary
21 when a person is only transiently within a field of view of a camera installation.
22 However, other operations of the whole process, such as selecting images, paying
23 for images and delivering images, it is necessary to stand in a queue at a kiosk in
24 the Goldberg disclosure.
25

1 Goldberg does not disclose the feature of including a digital image delivery
2 address in a portable identification device.

3
4 **Baranowski (US 6,813,608)**

5 Baranowski addressees the problem that business enterprises, such as
6 entertainment centers etc must allow customers/visitors to walk and move
7 throughout their facilities, but due to the large physical area of the facility
8 interfacing with a customer or visitor and providing adequate customer support is
9 a problem. There is a problem of identifying and finding locations of products
10 which customers may wish to attend.

11 Another problem stated is that groups of persons have different interests
12 and become geographically dispersed at business enterprises/attractions. Once
13 separated, members of a group have limited ways of keeping track of each other.

14 A third problem addressed in Baranowski is that of relaying information to
15 customers in a retailer or amusement park.

16 The solution provided in Baranowski is to provide improved systems for
17 providing directional and product information to customers. The solution includes
18 a portable device carried by a customer, the purpose of which is to receive
19 information from a centralised controller, for example in information relevant to
20 movement of persons around a facility.

21 In Baranowski the problems addressed are different from those in the
22 present application, and the solution provided is provision of general information
23 concerning an enterprise/facility, and in particular, location information.
24 Baranowski does not provide a photographic service system or image capture
25 installation as provided in the amended claims of the present application.

1 **Donnelly US 6,809,762**

2 The problem addressed in Donnelly is that at amusement parks or other
3 similar facilities, photographic selling technique rely on “shoot and hope”
4 techniques, where photographs are taken speculatively on the expectation that
5 individuals will purchase photographs taken at a particular location. Many
6 photographs remain unsolved.

7 The solution in Donnelly is to have a customer select and pay for a
8 photograph in advance. In the present embodiments, there is automatic activation
9 of the camera in response to a user portable activation device, and activation of
10 that device creates a contract for delivery of a photographic image.

11 In Donnelly, there is a lack of automation in taking photographs, see
12 column 4 lines 44 – 50. This incurs delay and potentially queuing.

13 In Donnelly in another embodiment, there is automatic photograph taking,
14 but the customer still needs to enter their ID information manually and credit card
15 information. There is no automatic reading of account data, and customer ID data
16 and automatic activation of a camera. This restricts the Donnelly disclosure to
17 static photographs scenarios, and incurs delays in data entry and a queuing for the
18 customers.

19 **Frey (US 6,369,908)**

20 In Frey, there is disclosed a photo kiosk having a video screen and a
21 keyboard data entry. Frey includes the facility to include text messages, or other
22 visual images to an electronic image of a subject.

23 However, the photo kiosk disclosed in Frey can only be used by one person
24 at one time and necessitates a customer in time consuming manual data input,
25 which, in a busy environment would involve queuing.

1 There is no automated photo capture, no automated input of user
2 identification and no automated/wireless activation of photo device.

3
4 **Weston et al (US 6,608,563)**

5 A problem addressed in Weston is that prior art photo capture and retrieval
6 systems are limited by the difficulty of indexing captured photo images in a
7 manner which allows subsequent access and retrieval of relevant images for a
8 particular individual or group of individuals when photos are taken automatically
9 throughout an entertainment facility. Time stamped based systems are limited in
10 usefulness because of the need to know the relevant time associated with each
11 photo image to be retrieved. Users do not necessarily have that information.

12 The solution in Weston is to provide an RFID tag, preferably worn by each
13 person at a facility containing a unique person identifier number used to match a
14 particular individual to a relevant captured photograph.

15 In Weston, the RFID tag allows matching of individuals to photograph
16 images.

17 In Weston, a set of readers capable of reading tags are positioned around a
18 facility and there is provided the ability to index and retrieve captured photo
19 images, sorted according to the individual person identifier or group identifier
20 contained in the tag. Captured photo images may be selectively retrieved and
21 organised into a photo/video album to provide a record of a family or groups
22 adventures at a facility. The book may be downloaded over the internet (fig 4
23 Weston).

1 **Shigenaga et al (US 5,554,984)**

2 Frey (US 6,369,908 B) addresses a problem in prior art photo kiosks which
3 provide either an enclosed area or a partially enclosed area in which persons pose
4 against a standard background whilst a photo is taken. Other prior art kiosks have
5 a selectable back ground image against which customers can pose.

6 However, there is no facility for adding text or other data to the
7 photographs. Frey provides a solution by providing a device which can create an
8 electronic image of a user and to which the user can selectively add text messages,
9 audio data, or other visual images to an electronic image.

10 The electronic image can be transmitted over the internet or a network,
11 and/or can be provided on a removably electronic storage device e.g. a CD or
12 similar.

13
14 **Brennan (US 5,587,740)**

15 Brennan discloses a static photo kiosk without any enclosure against a pre
16 determined background, for example of scenery. The disclosure in Brennan
17 removes the necessity for visitors to a site to carry their own camera.

18 However Brennan requires persons to stand in a particular pre determined
19 place. It requires payment to be entered at the kiosk, and for users to wait at the
20 kiosk until a photographic image is delivered by the kiosk.

21 In the Brennan disclosure, because it is necessary for users to wait at the
22 kiosk, queues can form, which delays a users passage around a facility.

23 Further, there is no disclosure of remote delivery of digital images,
24 although the kiosk is connected by a modem to the internet, to collect payment by
25 credit card for images taken.

1 **EP 08963582 (Casio Computer Company Ltd)**

2 EP 08963582 (Casio Computer Company Limited) discloses a personal
3 user portable camera, which has a facility for entering an email address so that a
4 digital image can be loaded into a computer and submitted to a destination
5 terminal with ease.

6 Casio does not disclose a fully automated system which is passively
7 operable, without the need for a user to activate the camera, and does not disclose
8 collection of account data for obtaining payment for provision of a digital image.

9 Casio does not solve the problems present in theme parks, for the following
10 reasons:

11 - Persons on rides in theme parks, cannot take photos easily using their own
12 hand held cameras when on those rides. Typically, the rides involve
13 relatively high G forces on users, and it is difficult for those users to take
14 pictures when on those rides.

15 - In the disclosure of the present application, cameras are static, and arrange to
16 take pictures of users as they move into a field of view. The cameras take
17 pictures from an 'observer perspective'. Using a hand held camera as in
18 Casio, pictures are taken from a 'self-perspective'. That is, a person taking a
19 picture using a personal consumer camera cannot take a picture of
20 themselves, since they have to be behind the camera in order to take the
21 picture.

22 In Casio, the camera device is not activated by proximity sensors which
23 detect when a person is within a field of view of the camera. A user of the
24 camera is responsible for setting up a field of view. In contrast, in the present
25 application, fields of view can be set up in advance, and therefore be
optimised in advance, saving time.

Dodge (WO 00/58850)

Dodge (WO 00/58850) does not disclose collecting user registration data describing a name and address of a user.

Further, Dodge does not disclose using electronic account data and electronic user registration data to collect payment.

In the Dodge system, name and address data maybe stored, but it is not specifically disclosed in that document that this is the case. However in any case, if entry of name and address data were to occur, this would involve a user queuing up at a kiosk in a long queue. Dodge does not address the basic problem of avoiding long queues at an installation.

WO 00/48384 (Sony).

WO 00/48384 (Sony). The Sony disclosure does not describe how to provide an image capture service which allows the user to avoid having to carry their own personal camera equipment, and does not disclose aspects of user account collection, automatic payment collection, and automatic delivery of images.

Sony is concerned with solving the problem of locally storing image data in a digital camera which has a restricted amount of memory. This problem is overcome by providing for transmission of digital picture images between a digital camera and a remote location, such as a personal computer.

Similar comments apply to the Sony disclosure as recited above for the Casio disclosure. The Sony disclosure relates to a personal camera, which means a

1 person has to carry that camera around, and the user has a responsibility for setting
2 up picture scenes, taking pictures, and then personally activating a download of
3 images to a remote destination.

4 In WO 00/48384 (Sony), there is no collection of user account data or
5 collection of payment from a user account.

6
7 **US 6167469 (Agilent).**

8 US 6167469 (Agilent). The Agilent disclosure requires a user to take their
9 own photographs and then transmit them over a phone line, to their destination
10 address. The Agilent disclosure does not provide a service solution to a user, and
11 does not enable the user to be free of having to transport their own personal
12 camera and set up their own scenes and image shots. Agilent does not disclose
13 collection of user account data, or user registration data, and requires that a user
14 carries their own personal camera around with them. A problem addressed by the
15 Agilent disclosure is that, in order to transmit digital images to electronic
16 destinations, such as a friend's email address, the user of the digital camera needs
17 to have access to a personal computer. The problem solved by Agilent, is how to
18 transmit pictures from the users personal digital camera to a destination email,
19 without the use of a personal computer. This is a different problem to that
20 addressed in the present application, and has a different technical solution.

21
22 **US 6,085,195 (Hoyt)**

23 US 6,085,195 (Hoyt) discloses a photo booth, of the type where a user is
24 enclosed within the photo booth. It does not provide for capture of an image in an
25 outdoor field of view as disclosed in the present application.

1 Hoyt does not disclose a fully integrated service for delivering digital
2 images to a users personal computer, or physical delivery of photographic prints to
3 a users home address.

4 Further, the Hoyt disclosure is not capable of capturing 'action' shots of a
5 user whilst they are on a theme park ride.

6 Hoyt does not disclose input of delivery address data from a user, since the
7 digital image data is delivered to an address generated by the system of Hoyt,
8 which provides a website for a user.

9 Hoyt, addresses the problem of maintaining the popularity of photo booths,
10 and provides a solution by providing an image which can be linked to a users
11 website. A user is confined within a photo kiosk, in order that a properly focused
12 image can be obtained against a neutral background. The users images may be
13 combined with a further image background, in order to produce a composite image
14 featuring the user who is a subject of the digital captured image.

15 The composite image can be displayed on a web page, and the Hoyt
16 disclosure is primarily concerned with provision of a digital image to a users
17 website.

18
19 **WO 98/16059 (GTE Laboratories)**

20 WO 98/16059 (GTE Laboratories) addresses a problem of editing video
21 footage taken by a person. The disclosure is concerned with a person capturing
22 their own video images. The GTE disclosure is aimed primarily at production of a
23 finished video product suitable for a user and does not disclose provision of
24 electronic or physical images to a users specified destination address. In contrast,
25 in GTE, a user selects their video prior to leaving a theme park.

1 Further, there is no provision for user registration and account data
2 collection, so the time consuming aspects of payment for the video product, with
3 its attendant long delays, waiting and queues, is not solved.

4
5 **Casio EP 0889635**


6 There is no disclosure in EP 0889635 (Casio) of the above common
7 features to the independent claims filed herewith. Casio does not disclose
8 collection of user account data, nor does it disclose effecting payment from a user
9 account data.

CONCLUSION

All pending claims 27-71 are in condition for allowance. Applicants respectfully request reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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